

## SECOND AND THIRD READINGS SUMMARY SHEET

CASE: C14-2018-0141 – 1907 Inverness Zoning Change DISTRICT: 5

ADDRESS: 1907 Inverness Boulevard

PROPERTY OWNER:  
Marquee Investments, LLC  
(Alex Bahrami)

AGENT:  
Austex Building Consultants  
(Jonathan Perlstein)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

REQUEST:                    **Approve Second / Third Readings**  
                                 **From family residence – neighborhood plan (SF-3-NP)**  
                                 **To neighborhood office – mixed use – neighborhood plan**  
                                 **(NO-MU-NP)**

CITY COUNCIL ACTION:  
**October 15, 2020:**

June 6, 2019: *APPROVED NO-MU-NP DISTRICT ZONING AS PLANNING COMMISSION RECOMMENDED, ON FIRST READING. VOTE: 10-0, COUNCIL MEMBER HARPER-MADISON WAS OFF THE DAIS. NOTE: APPLICANT WILL NOT REQUEST SECOND / THIRD READINGS UNTIL CODE VIOLATIONS HAVE BEEN CLEARED.*

May 9, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO JUNE 6, 2019. VOTE: 11-0.*

April 25, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO MAY 9, 2019. VOTE: 11-0.*

March 7, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO APRIL 25, 2019. VOTE: 11-0.*

February 21, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO MARCH 7, 2019. VOTE: 11-0.*

ORDINANCE NUMBER:

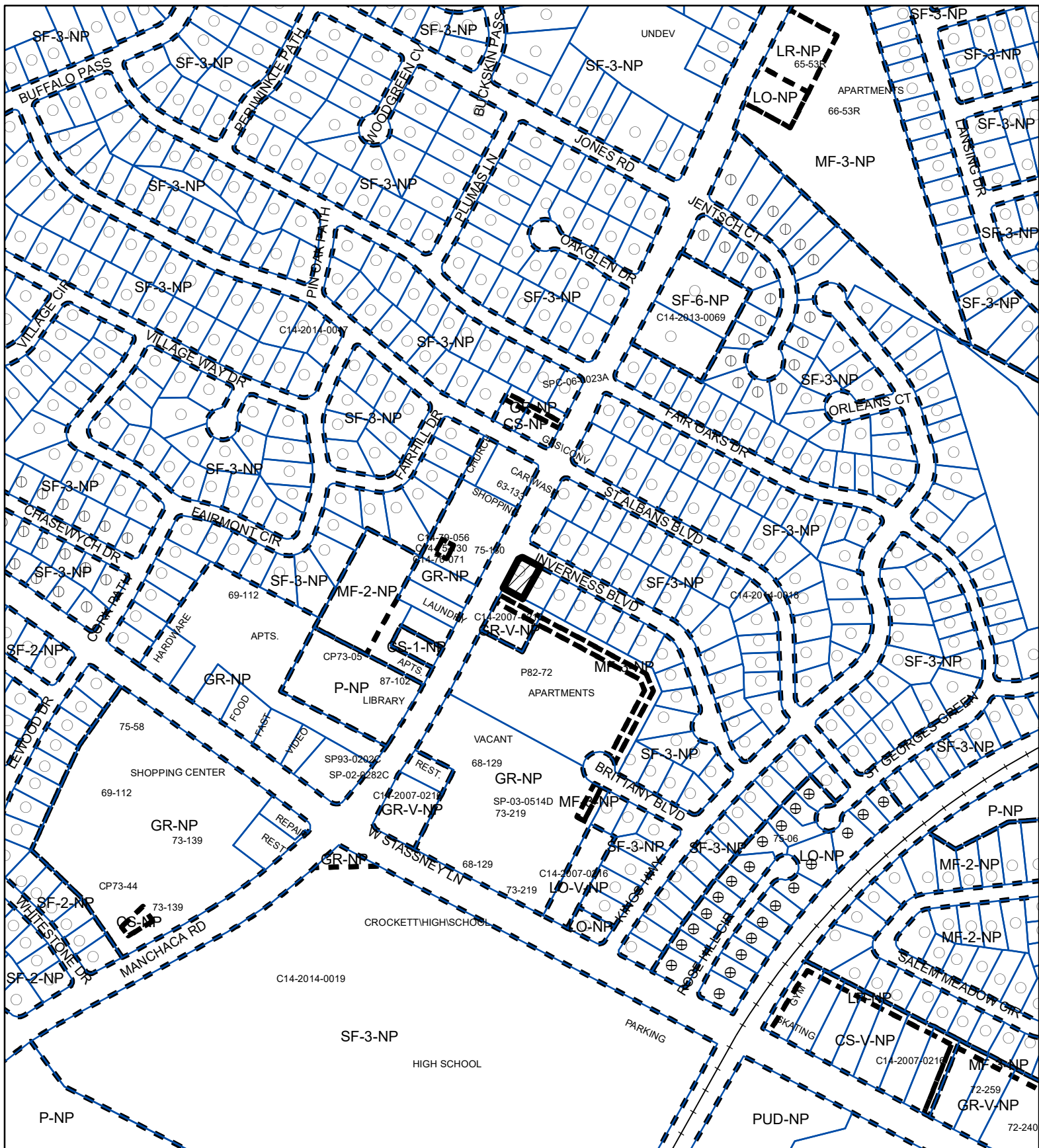
ISSUES:




The Applicant has updated the property survey to show a total of 58.9% impervious cover. Under NO-MU-NP zoning the maximum allowed impervious cover is 60%.

Since First Reading approval, the Applicant has been issued final building permits for foundation repair, shingle repair, and the addition of two dormers (2020-121336 BP), and

replacement of siding and a small window (2019-131083 BP). The Applicant has also addressed the related code violations. Subsequent to the zoning change, the Applicant will be able to file a building permit for the approximate 400 square foot addition to the Commercial Plan Review division of the Development Services Department. The intended occupant of the building is an interior design office.

A valid petition of 33.34% has been filed by the adjacent property owners in opposition to this rezoning request. Petition materials and comment response forms are located at the back of the Staff report.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

Exhibit A

ZONING CASE#: C14-2018-0141

1" = 400'

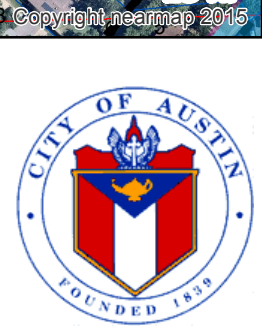
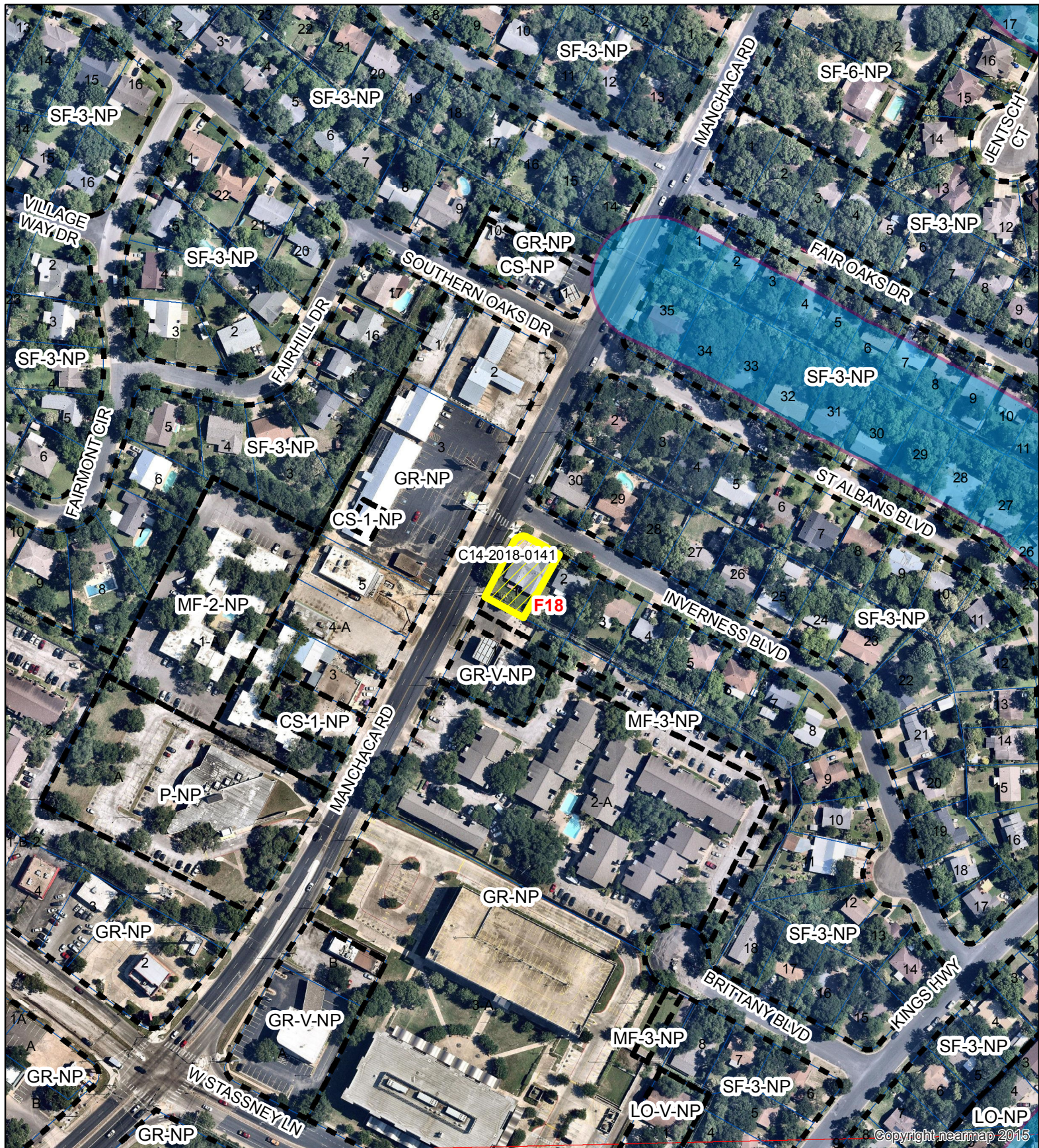
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 11/13/2018

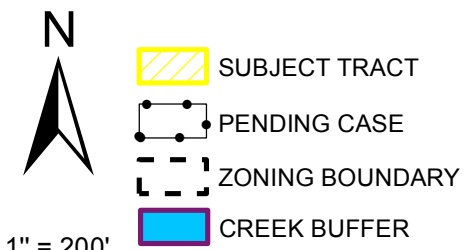




# 1907 INVERNESS ZONING CHANGE Exhibit A -1

ZONING CASE#: C14-2018-0141  
 LOCATION: 1907 INVERNESS BLVD  
 SUBJECT AREA: 0.1846 ACRES  
 GRID: F18  
 MANAGER: WENDY RHOADES

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





Waterloo Surveyors Inc.  
**SURVEY PLAT**

J15709B

**NOTE:**  
THIS SURVEY WAS PERFORMED  
WITHOUT THE BENEFIT OF A  
TITLE COMMITMENT AND OTHER  
EASEMENTS, RESTRICTIONS  
AND CONDITIONS MAY APPLY

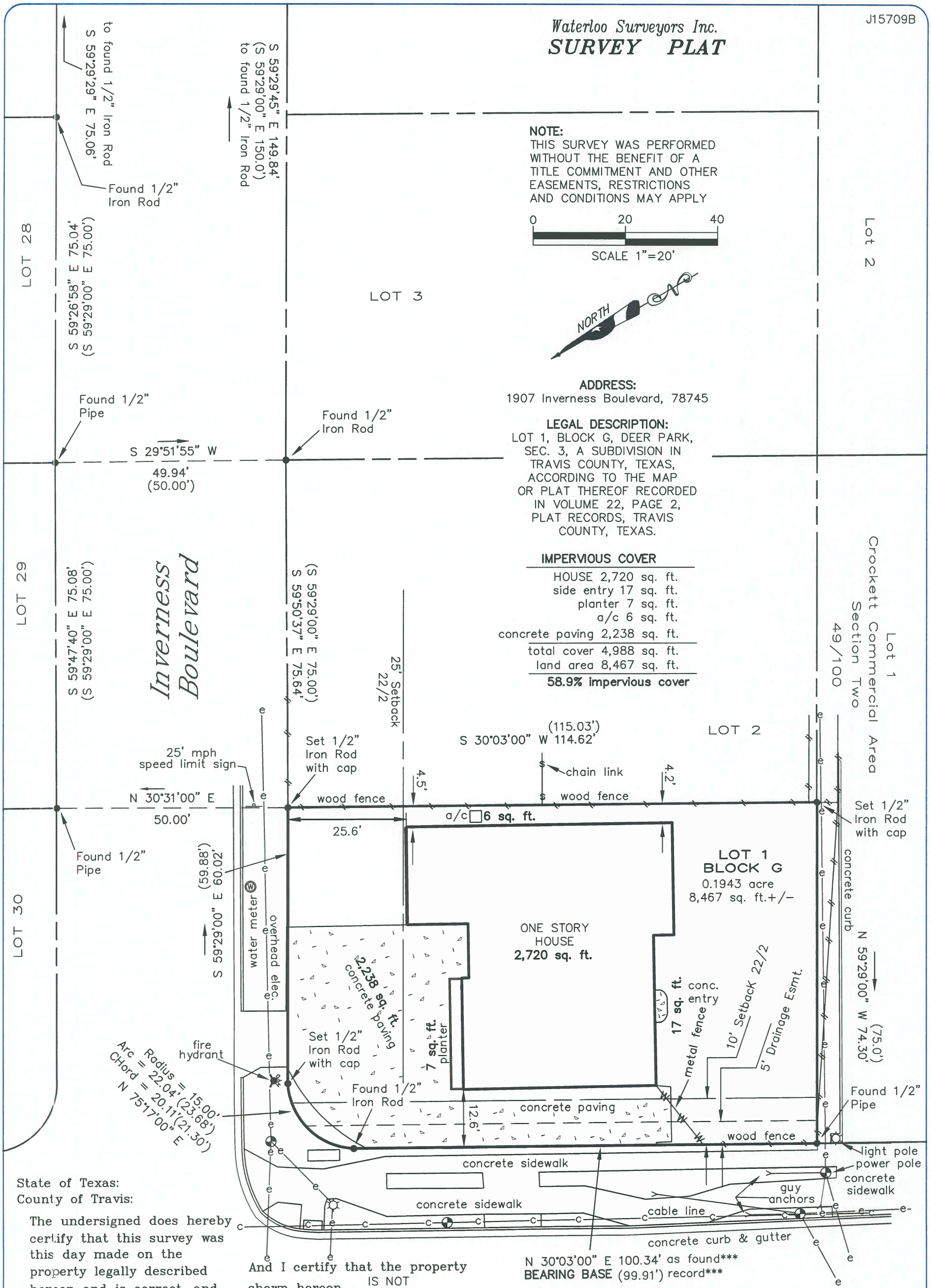


**ADDRESS:**  
1907 Inverness Boulevard, 78745

**LEGAL DESCRIPTION:**  
LOT 1, BLOCK G, DEER PARK,  
SEC. 3, A SUBDIVISION IN  
TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP  
OR PLAT THEREOF RECORDED  
IN VOLUME 22, PAGE 2,  
PLAT RECORDS, TRAVIS  
COUNTY, TEXAS.

**IMPERVIOUS COVER**

HOUSE	2,720 sq. ft.
side entry	17 sq. ft.
planter	7 sq. ft.
a/c	6 sq. ft.
concrete paving	2,238 sq. ft.
<b>total cover</b>	<b>4,988 sq. ft.</b>
<b>land area</b>	<b>8,467 sq. ft.</b>
<b>58.9% impervious cover</b>	



State of Texas:  
County of Travis:

The undersigned does hereby  
certify that this survey was  
this day made on the  
property legally described  
hereon and is correct, and  
this survey substantially  
complies with the current  
Texas Society of Professional  
Surveyors Standards and  
Specifications for a Category  
B1 Condition II Survey.

Dated this the 14TH day  
of SEPTEMBER, 2020,

And I certify that the property  
shown hereon IS NOT  
within a special flood hazard  
area as identified by the  
Federal Insurance Adm.  
Department of HUD Flood  
hazard boundary map revised  
as per Map Number:  
48453C0585H

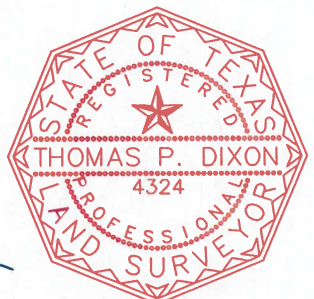
Zone: X

Dated: SEPTEMBER 26, 2008

N 30°03'00" E 100.34' as found\*\*\*  
BEARING BASE (99.91') record\*\*\*

*Manchaca Road*

Thomas P. Dixon R.P.L.S. 4324  
FIRM# 10124400







TBPE FIRM REG. #2487  
TBPLS FIRM REG. #10126000

4910 West Hwy 290  
Suite 300  
Austin, Texas 78735  
512.328.6995  
512.328.6996. Fax

Commercial and  
Residential Engineering

- Structural
- Mechanical
- Electrical
- Plumbing

Rehabilitation Designs

Property Condition  
Inspections

Land Surveying

Texas Accessibility  
Standards (ADA)  
Compliance Reviews  
& Inspections

Certified Code  
Compliance Inspectors  
& Plan Reviewers

Energy Code Consulting  
& Inspections  
Green Building Consulting  
& Certification

Construction Consulting

## New Concrete Slab

**Builder:** Aus-Tex Construction  
**Address:** 1907 Inverness  
Austin, Texas  
**Attn:** Jonathan Perlstein

September 8, 2020

To whom it may concern:

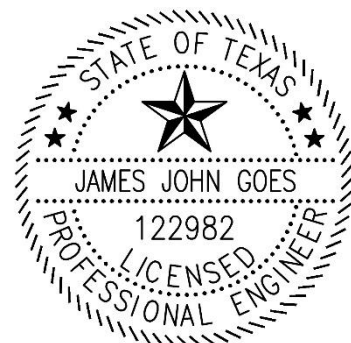
ATS Engineers were engaged to design a new foundation of an existing addition to the building at 1907 Inverness. As we understand the addition was not permitted and was not designed. The previous structure as we understand it was a wood structure over the bare earth. The walls were set on the ground.

The new system is a ribbed concrete slab on ground. The slab is based on the assumed 1500 pounds per square foot per code. Based on experience the soil is generally low expansive clay soil over laid on limestone. The new slab covers the entire room that is twenty-two feet by twenty-four feet. The grade beams are one foot wide and two-feet deep. There are grade beams on the exterior sides and one down the middle bisecting the room. In each grade beam there are two #5 bars near the top and the bottom of the grade beams. There are #4 closed stirrups at four-feet on center. The slab is six-inches thick with #3 bars at sixteen on center. The concrete will be at least twenty-five hundred pounds per square inches.

Please note, only the items mentioned have been addressed per scope of this letter. No further investigation or analysis has been performed. The opinions expressed in this letter assume full compliance with governing building code and construction in accordance with plans issued by ATS.

Please contact me if you have any questions.

James J. Goes, P.E., S.E.  
Structural Department Manager



I certify that I have produced this certification as an independent registered professional engineer and have no interest, present or prospective, in this property or anyone involved with this property. I warrant that ATS has looked at the structural components of this property in a diligent manner and has made recommendations based on my experience and opinion. Changes may occur during construction that could make null and void the contents of this report. No other warranty, either expressed or implied, is hereby made. Please note that this certification shall expire with any change in referenced code or any changes from the referenced plan date and architecture. Professional Engineering Firm Registration Number 2487





TBPE FIRM REG. #2487  
TBPLS FIRM REG. #10126000

4910 West Hwy 290  
Suite 300  
Austin, Texas 78735  
512.328.6995  
512.328.6996. Fax

Commercial and  
Residential Engineering

- Structural
- Mechanical
- Electrical
- Plumbing

Rehabilitation Designs

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Inspections

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Texas Accessibility  
Standards (ADA)  
Compliance Reviews  
& Inspections

Certified Code  
Compliance Inspectors  
& Plan Reviewers

Energy Code Consulting  
& Inspections  
Green Building Consulting  
& Certification

Construction Consulting

## Verification of Framing

**Builder:** Aus-Tex Construction  
**Address:** 1907 Inverness  
Austin, Texas  
**Attn:** Jonathan Perlstein

September 14, 2020

To whom it may concern:

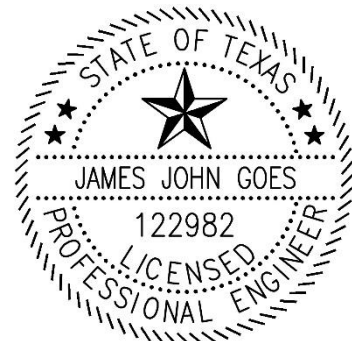
ATS Engineers were engaged to verify an existing wood-framed, one-story room to the building at 1907 Inverness. As we understand the addition was not permitted and was not designed. The previous structure as we understand it was a wood structure over the bare earth. The walls were set on the ground.

The walls are 2x4 wood framed nine feet tall. The window have two 2x6s for a two-foot, six-inch wide rough opening. The rafters spanning eleven-feet, four-inches are assumed to be 2x6s at sixteen inches on center with purlins at ridge down to a double 2x8 beam based on the visible section of the roof. The ceiling joists are 2x6 at sixteen inches again based on the visible existing roof. Based on the age of the construction, it is our opinion that this is erected correctly and has proven the test of time.

Please note, only the items mentioned have been addressed per scope of this letter. No further investigation or analysis has been performed. The opinions expressed in this letter assume full compliance with governing building code and construction in accordance with plans issued by ATS.

Please contact me if you have any questions.

James J. Goes, P.E., S.E.  
Structural Department Manager



I certify that I have produced this certification as an independent registered professional engineer and have no interest, present or prospective, in this property or anyone involved with this property. I warrant that ATS has looked at the structural components of this property in a diligent manner and has made recommendations based on my experience and opinion. Changes may occur during construction that could make null and void the contents of this report. No other warranty, either expressed or implied, is hereby made. Please note that this certification shall expire with any change in referenced code or any changes from the referenced plan date and architecture. Professional Engineering Firm Registration Number 2487



## **ZONING CHANGE REVIEW SHEET**

**CASES:** C14-2018-0141 – 1907 Inverness Zoning Change **P.C. DATE:** January 22, 2019  
February 12, 2019  
February 26, 2019  
April 23, 2019

**ADDRESS:** 1907 Inverness Boulevard

**DISTRICT AREA:** 5

**OWNER/APPLICANT:** Marquee Investments, LLC (Alex Bahrami) **AGENT:** Austex Building Consultants (Jonathan Perlstein)

**ZONING FROM:** SF-3-NP **TO:** NO-MU-NP, as amended **AREA:** 0.1944 acres (8,467 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood office – mixed use – neighborhood plan (NO-MU-NP) combining district zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

January 22, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO FEBRUARY 12, 2019*  
[J. SCHISSLER; C. KENNY – 2<sup>ND</sup>] (11-0) A. DE HOYOS HART, P. SEEGER – ABSENT

February 12, 2019: *MEETING CANCELLED DUE TO LACK OF QUORUM*

February 26, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO APRIL 23, 2019*

[J. SCHISSLER; P. SEEGER – 2<sup>ND</sup>] (8-4) K. MCGRAW, R. SCHNEIDER, C. KENNY, Y. FLORES – NAY; A. DE HOYOS HART – ABSENT

April 23, 2019: *APPROVED NO-MU-NP DISTRICT ZONING, AS STAFF RECOMMENDED*

[C. KENNY; J. SCHISSLER – 2<sup>ND</sup>] (7-4) Y. FLORES, K. MCGRAW, T. SHAW, R. SCHNEIDER – NAY; P. SEEGER; J. SHIEH – ABSENT

### **ISSUES:**

The Applicant has updated the property survey to show a total of 58.9% impervious cover. Under NO-MU-NP zoning the maximum allowed impervious cover is 60%.



Since First Reading approval, the Applicant has been issued final building permits for foundation repair, shingle repair, and the addition of two dormers (2020-121336 BP), and replacement of siding and a small window (2019-131083 BP). The Applicant has also addressed the related code violations. Subsequent to the zoning change, the Applicant will be able to file a building permit for the approximate 400 square foot addition to the Commercial Plan Review division of the Development Services Department. The intended occupant of the building is an interior design office.

A valid petition of 33.34% has been filed by the adjacent property owners in opposition to this rezoning request. Petition materials and comment response forms are located at the back of the Staff report.

On February 21, 2019, the Applicant amended the rezoning request from LO-MU-NP to NO-MU-NP.

In April 2018, a Code Department investigation resulted in a citation of the owner regarding to the need to obtain a survey exhibiting that the property's impervious cover does not exceed 45% of the total square footage of the property, and to obtain required permits for the addition of the dormers, window and door replacement (CV-2017-082578). The rezoning case was filed on November 9, 2018.

A survey with impervious cover figures was provided on April 3, 2019 and shows the impervious cover is 61.2%. A general comparison between the 1986 aerial and the March 2019 survey indicates new impervious cover has been added along the rear half of the property and that portion would not be grandfathered. Please refer to Exhibits C and D.

#### **DEPARTMENT COMMENTS:**

The subject lot contains a 1,576 square foot single family residence and parking area and is zoned family residence – neighborhood plan (SF-3-NP) district. The building was used for commercial purposes (a psychic reader) for many years, and is across from and adjacent to single family residences to the north and east (SF-3-NP), a service station and apartments to the south (GR-V-NP; GR-NP), and a mix of commercial uses across Manchaca Road to the west (GR-NP, CS-1-NP).

The Applicant's amended request is to rezone to the neighborhood office – mixed use – neighborhood plan (NO-MU-NP) district so that the property retains the existing residential unit, and can be occupied as an administrative and business office. As information, the NO base district allows for up to 35 feet (except where limited by compatibility standards of the adjacent SF-3 zoning or uses), 60% impervious cover and a 0.35:1 floor-to-area ratio.

This segment of Manchaca Road is located in a Neighborhood Transition character district which encourages small scale offices. Granting additional entitlements to develop an administrative and business office within the Neighborhood Transition district is seen as in accord with the SACNP (See Comprehensive Planning section beginning on page 8). Therefore, Staff supports the Applicant's amended request for NO-MU-NP zoning based on

its location at the intersection of an arterial roadway, proximity to other commercially zoned properties, location within a Neighborhood Transition district, and the Applicant's intention to retain residential use of the property.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Single family residence
<i>North</i>	SF-3-NP	Single family residences
<i>South</i>	MF-3-NP; GR-V-NP; GR-NP	Service station with food sales; Apartments
<i>East</i>	SF-3-NP	Single family residences
<i>West</i>	GR-NP; CS-1-NP; MF-2-NP; P-NP	Auto washing; Commercial center; Insurance office; Restaurant (vacant); Pawn shop; Apartments; Library

**NEIGHBORHOOD PLAN AREA:** South Austin Combined      **TIA:** Is not required  
(South Manchaca)

**WATERSHED:** Williamson Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District      943 – Save Our Springs Alliance  
 950 – Southwood Neighborhood Association      1108 – Perry Grid 644  
 1228 – Sierra Club, Austin Regional Group  
 1315 – Southern Oaks Neighborhood Association  
 1363 – SEL Texas      1424 – Preservation Austin  
 1429 – Go!Austin/Vamos!Austin (GAVA) – 78745  
 1528 – Bike Austin      1530 – Friends of Austin Neighborhoods  
 1531 – South Austin Neighborhood Alliance      1550 – Homeless Neighborhood Association  
 1578 – South Park Neighbors  
 1590 – South Manchaca Neighborhood Plan Contact Team  
 1596 – TNR BCP – Travis County Natural Resources  
 1599 – Neighborhood Association of Beckett Ranch at Southern Oaks  
 1616 – Neighborhood Empowerment Foundation

**SCHOOLS:**

Sunset Valley Elementary School      Covington Middle School      Crockett High School



**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0069 – 5107 and 5109 Manchaca Rd	SF-3 to SF-6, as amended	To Grant	Apvd (10-24-2013).
C14-2007-0216 – South Manchaca Vertical Mixed Use (VMU) Rezoning – W Ben White (north), S 1 <sup>st</sup> St (east), Stassney Ln (south), Manchaca Rd (west)	Apply -V to 20 tracts on 65.64 acres	To Grant VMU related standards to all Tracts except Tracts 10 and 12 (dimensional standards only), 60% MFI for VMU rental developments	Apvd (12-13-2007).

**RELATED CASES:**

The property is platted as Lot 1, Block G of Deer Park Section 3, recorded in October 1964 (C8-64-018). Please refer to Exhibit B.

The subject property is within the boundaries of the South Austin Combined (South Manchaca) Neighborhood Planning Area and is designated as a Neighborhood Transition District on the adopted Character District Map (NP-2014-0030). The –NP combining district was appended to the existing base districts on November 6, 2014 (C14-2014-0018 – Ordinance No. 20141106-087).

**EXISTING STREET CHARACTERISTICS:**

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Inverness Boulevard	50 feet	30 feet	Local	No	No	Yes, Route 3
Manchaca Road	74 feet	43 feet	Arterial	Yes	Yes, shared lane	Yes, Route 3

**CITY COUNCIL DATE:** February 21, 2019

**ACTION:** Approved a Postponement request by Staff to March 7, 2019 (Vote: 11-0).

March 7, 2019

Approved a Postponement request by Staff to April 25, 2019 (11-0).

April 25, 2019	Approved a Postponement request by Staff to May 9, 2019 (11-0).
May 9, 2019	Approved a Postponement request by the Applicant to June 6, 2019 (11-0).
June 6, 2019	Approved NO-MU-NP district zoning as Planning Commission recommended, on First Reading. Vote: 10-0, Council Member Harper-Madison was off the dais. Note: Applicant will not request Second / Third Readings until code violations have been cleared.

October 15, 2020

**ORDINANCE READINGS:** 1<sup>st</sup> June 6, 2019

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood office – mixed use – neighborhood plan (NO-MU-NP) combining district zoning.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The neighborhood office (NO) district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

*2. Zoning changes should promote compatibility with adjacent and nearby land uses.*

This segment of Manchaca Road is located in a Neighborhood Transition character district which encourages small scale offices. Granting additional entitlements to develop an administrative and business office within the Neighborhood Transition district is seen as in accord with the SACNP (See Comprehensive Planning section beginning on page 8). Therefore, Staff supports the Applicant's amended request for NO-MU-NP zoning based on its location at the intersection of an arterial roadway, proximity to other commercially zoned properties, location within a Neighborhood Transition district, and the Applicant's intention to retain residential use of the property.

**EXISTING CONDITIONS****Site Characteristics**

The subject property contains a single-story single family residence and a parking area adjacent to Inverness Boulevard. According to aerial photographs taken in 1986, the parking area was paved by that date, and may be considered a legal, non-complying structure by Code.

**Impervious Cover**

The maximum impervious cover allowed by the NO-MU zoning district would be 60%, which is based on the more restrictive zoning regulations. According to a March 2019 survey of the property, the impervious cover is 61.2%.

There are a couple of different general scenarios regarding impervious cover. If all of the impervious cover that exists today was in place before 1986, then it may be considered a legal, non-complying structure and would be grandfathered under any zoning district (SF-3, NO-MU, etc.). The 1986 grandfathering date is based on Section 1.9.2 (C) - *Criteria for Watersheds Other Than Barton Springs Zone* out of the Environmental Criteria Manual. This section states: “Base impervious cover is that which existed on the site on the effective date of the Comprehensive Watershed Ordinance which is May 18, 1986, and which currently exists at the time of application for a new or revised permit, or which is permitted or existing for which water quality controls have been previously provided, and is not proposed to be redeveloped.”

On the other hand, if impervious cover (flatwork, other new structures, building addition), was added after 1986, then it is not grandfathered and the Applicant will need to remove at least the portion that isn’t grandfathered in order to clear that portion of the code violation.

If the property is successfully rezoned to NO-MU-NP, then the impervious cover limit is 60% and all but 1.2% of the non-grandfathered impervious cover becomes permitted by the zoning district. If the SF-3-NP zoning on the property is maintained, then the Owner will need to remove impervious cover that is not grandfathered, even though that figure may exceed the maximum of 45% allowed by the zoning district.

### **Comprehensive Planning**

This rezoning case is located on the southeast corner of Manchaca Road and Inverness Blvd., on a 0.185 acre lot that contains a one-story single family house. The property is located within the boundaries of the South Austin Combined Neighborhood Planning Area, in the South Manchaca NP. Surrounding land uses around the subject property include: single family houses to the north and east; a gas station, two large apartment complexes, a public library, and a shopping center to the south; and a shopping center and single family houses to the west. The proposed use is to convert the existing single family house into an office.

### **Connectivity**

The Walkscore for this property is **72/100, Very Walkable**, meaning most errands can be accomplished on foot. Public sidewalks are located along Manchaca Road but not along Inverness Blvd. A public transit stop is located across the street from the property. There are no bike lanes or urban trails in the area. The mobility and connectivity options available in the area are average.

### **South Austin Combined (SACNP) Neighborhood Plan**

The SACNP Character District Map of this plan designates this portion of Manchaca Road as a **Neighborhood Transition Character District**, which is intended primarily for residential uses, such as clusters of duplexes, fourplexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. NO zoning is



permitted in the Neighborhood Transition Character District. The following text and policies taken from the SACNP are applicable to this request:

***Neighborhood Transition Character District (p 53 and 54)***

**Neighborhood Transition Vision:** The Neighborhood Transition District blends seamlessly with the Residential Core. It contains an abundance of mature trees and landscaping and is walkable, bikeable, and supportive of transit.

Neighborhood Transition character districts, along with Neighborhood Nodes, border the Residential Core along arterial roadways. Primarily residential, these areas consist of clusters of duplexes, fourplexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. Neighborhood Transition districts in particular present an opportunity to incorporate more missing middle housing types that are compatible with the neighborhood. The missing middle refers to duplexes and other housing types, such as row houses, bungalow courts and other housing types compatible with the existing neighborhood, that provide options between the scale of single-family houses and mid-rise apartments or condos. As Austin's population grows and its demographics change, these housing types provide the opportunity to accommodate growth in walkable neighborhoods while respecting neighborhood character. The variety of housing types in the missing middle promote multi-generational communities, providing options for young people and for older generations to age in place.

**NT P1:** This district should primarily consist of residential housing types, but at higher densities than in the Residential Core. The following building types should be encouraged in the district to meet the needs of a wider range of households: (p 54)

- Duplexes
- Fourplexes
- Small- and medium-sized apartments
- Cottage clusters/bungalow courts
- Row houses or townhouses
- Single family houses adapted into offices or retail
- Live/work buildings

**NT P2:** Building scale, height and siting within the Neighborhood Transition district should be harmonious with the adjacent Residential Core district.

**NT P3:** Moving from the Neighborhood Transition to the Residential Core, setbacks, similar building footprints, landscaping (including green infrastructure), similar building heights or stepbacks in building height, and/or other means should be used to create compatible developments which fit within the fabric of the neighborhood. Buildings should be no more than 3 stories tall.

**NT P4:** New construction in the Neighborhood Transition district should front the street, with surface or structured parking located behind buildings. Where the

Neighborhood Transition character district abuts the Residential Core either mid-block or across a street, special care should be taken to create compatibility between the districts. (p. 57)

**NT P5:** Encourage missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Neighborhood Transition character district:

SF-2#: Standard lot single family

SF-3#: Family residence

SF-4A#: Small lot single family

SF-4B#: Single family condo

SF-5: Urban family residence

SF-6: Townhouse & condo residence

MF-1: Limited density multi-family

MF-2: Low density multi-family

MF-3: Medium density multi-family

NO: Neighborhood office

LO: Limited office

LR: Neighborhood Commercial

Note: # Zone can be in a given FLUM category, but a zoning change to this district is not recommended.

**HA P2:** Encourage development of additional affordable housing integrated into the neighborhood (p. 93)

**HA A9:** Encourage affordable housing in all character districts to meet the needs of a diverse population at different income levels:

- Residential Core: secondary apartments
- Neighborhood Transition: duplexes, “missing middle” housing types, multi-family buildings.
- Neighborhood Node: multi-family buildings, vertical mixed use buildings
- Mixed Use Activity Hub: multi-family buildings, vertical mixed use buildings

Residential uses, along with small-scaled offices and neighborhood-serving businesses appear to be support the SACNP as long as massing, height, and the intensity of a proposed project is compatible and harmonious with the adjoining Residential Core land uses located to the north, east and south.

### **Imagine Austin**

This portion of Manchaca Road is not located along an Activity Corridor or by an Activity Center. Although this property is not located along an Activity Corridor or Center, The following IACP policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

### **Conclusions:**

Based upon: (1) the comparative scale of the site relative to nearby commercial and office uses located along Manchaca Road; (2) the SACNP policies that supports small-scale office uses in the Neighborhood Transitional Character District; and (3) the above-referenced Imagine Austin policies that supports context sensitive infill along corridors, this case appears to support the Imagine Austin Comprehensive Plan.

### **Drainage**

The developer is required to submit a pre and post development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%



According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

### **Site Plan and Compatibility Standards**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the northeast and east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- No parking or driveways are allowed within 25 feet of the property line.

**Transportation**

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC 25-6-113].

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (Manchaca Road). The sidewalk and bicycle facilities shall comply with the required cross-section for Manchaca Road at the time of the site plan application. At the time of this application, CPO does not have comments apart from a caveat that the Bicycle Program's required 8-foot shared use path located 13 feet from the back of curb may be demolished in the future for the future corridor improvements. Find additional information about the Corridor Mobility Program here: <https://data.austintexas.gov/stories/s/Corridor-Mobility-Program/gukj-e8fh/>.

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane for all ages and abilities is recommended for Manchaca Road. Per the Bicycle Program, an 8-foot shared use path should be constructed 13 feet from back of curb to accommodate the protected bike lane along Manchaca Road. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

Additional right-of-way may be required at the time of subdivision and/or site plan.

FYI – The existing driveway accessing Inverness Boulevard shall be removed and reconstructed and sidewalks shall be constructed along Inverness Boulevard at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – the existing sidewalks and curb ramp along Manchaca Road do not appear to be ADA compliant based on Google Images. The existing sidewalks shall be reconstructed to City of Austin standards in accordance with the Land Development Code and Transportation Criteria Manual at the time of the site plan application.

FYI – Per LDC 25-6-381, direct access to Manchaca Road (major roadway) is prohibited at the time of the subdivision and site plan applications since alternative access to Inverness Boulevard is provided.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



WIS: Know All Men By These Presents,  
 a Company, a Corporation organized and existing under the laws of the  
 State of Texas, known to me to be the person and officer whose  
 name is subscribed to the foregoing instrument, and acknowledged to me that he executed  
 the same in Volume 2332, at Page 176, Deed Records of Travis County,  
 subdividing 13.63 acres of said tract in accordance with the attached  
 plat to be known as DEED PARK, SEC. 3, and does hereby dedicate  
 the streets and easements shown hereon  
 to the use of said Corporation and the heirs of its president this  
 11, A.D. 1964.

Wayne Burns  
 Wayne Burns President,  
 Wayne Burns Company

WIS: undersigned authority, on this day personally appeared Wayne Burns,  
 a Burns Company, known to me to be the person and officer whose  
 name is subscribed to the foregoing instrument, and acknowledged to me that he executed  
 and deed of said Corporation, for the purposes and considerations  
 set in the capacity therein stated.

TO MY HAND and seal of office this 11th day of April, A.D. 1964.

Robert Jimmy McDonald

Notary Public in and for Travis County, Texas

ACCEPTANCE:

John [Signature] Date: Oct. 13, 1964,  
 Director of Planning

AUTHORIZED FOR RECORD:  
 Commission of the City of Austin, Texas on the 15th day of October, A.D. 1964.

Chairman David B. Brown Secretary W. S. Sale

On the 15 day of October, A.D. 1964, at 8:15 o'clock A.M.  
 Clerk County Court, Travis County, Texas.

Witness

WIS: I, [Signature], Clerk of the County Court within and for the County  
 do hereby certify that the foregoing instrument of writing with its  
 return was filed for record in my office on the 15th day of Oct  
 1964, and duly recorded on the 15th day of Oct  
 1964, in the Plat Records of said County in Book 22,

at the County Court, Travis County, Texas.

Witness

by

agreements shown on this plat, the four five (5) feet of plat  
 in easement for public utilities.

WIS: [Signature] Chapter 23 of 1954 has been corrected with

B. J. Hill Date: March, 1964  
 First City Public Surveyor

# TAXING UNITS

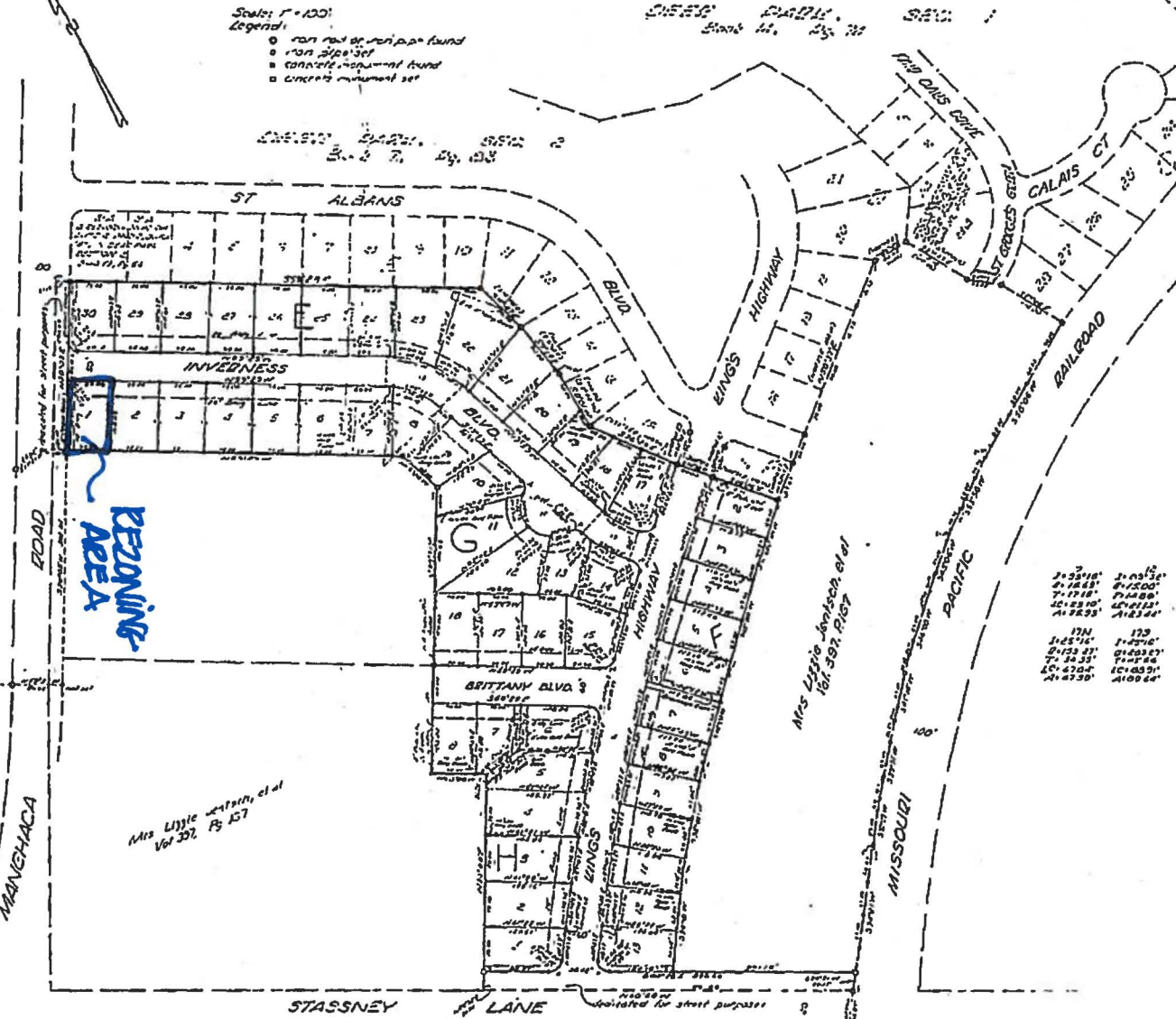
As of the date shown in this subdivision is due to separate  
 as a separate unit, taxation by each of the following units

1. Taxing Unit: State of Texas
2. Taxing Unit: City of Austin, Texas
3. Taxing Unit: County of Travis, Texas
4. Taxing Unit: State of Texas

It is further stated that each lot in this subdivision could be served by the  
 City's existing sewerage system and receive other health, police, and  
 fire protection benefits afforded residential property owners, the fact  
 that the subdivision was annexed by the City of Austin, Texas, in the  
 opinion of the subdivision, who submitted that the savings by this  
 city water rates and insurance rates would approximately equal  
 taxes levied for municipal purposes

Scale: 1" = 100'  
 Legend:

- iron rod or iron pipe found
- iron pipe set
- concrete monument found
- concrete monument set



DEED PARK  
 SEC. 3

CB-64-018

le

Drawing & Measurement

Printing & Reporting

Help





Waterloo Surveyors Inc.  
**SURVEY PLAT**

J157091C

NOTE:  
THE ELEVATIONS SHOWN HEREON ARE  
NAVD88, BASED ON LOCAL NETWORK  
GPS OBSERVATION.

NOTE:  
THIS SURVEY WAS PERFORMED  
WITHOUT THE BENEFIT OF A  
TITLE COMMITMENT AND OTHER  
EASEMENTS, RESTRICTIONS  
AND CONDITIONS MAY APPLY



**BENCH MARK (BM)**  
Set spindle: Elev. 656.8' NAVD88

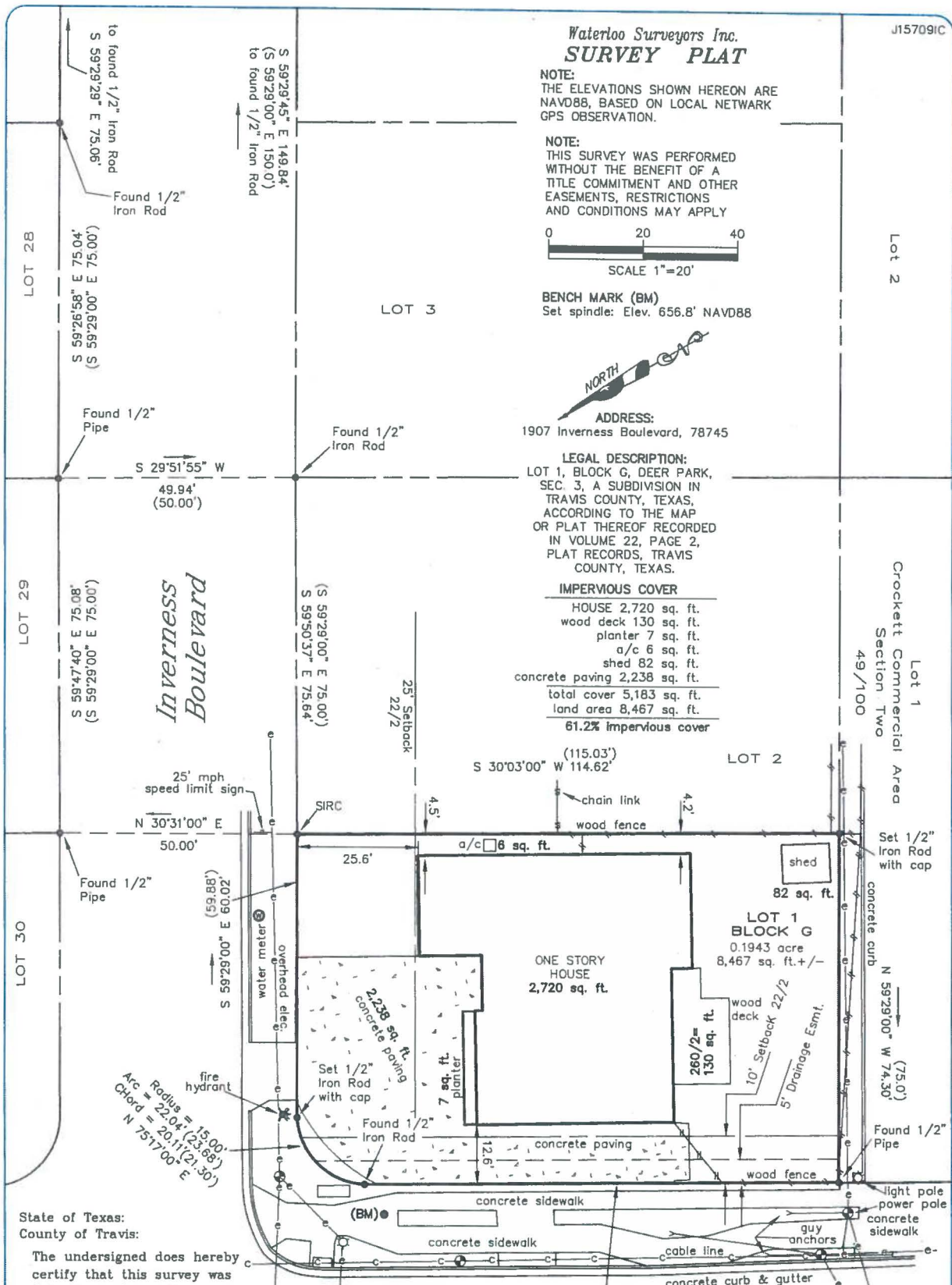


**ADDRESS:**  
1907 Inverness Boulevard, 78745

**LEGAL DESCRIPTION:**  
LOT 1, BLOCK G, DEER PARK,  
SEC. 3, A SUBDIVISION IN  
TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP  
OR PLAT THEREOF RECORDED  
IN VOLUME 22, PAGE 2,  
PLAT RECORDS, TRAVIS  
COUNTY, TEXAS.

**IMPERVIOUS COVER**

HOUSE	2,720 sq. ft.
wood deck	130 sq. ft.
planter	7 sq. ft.
a/c	6 sq. ft.
shed	82 sq. ft.
concrete paving	2,238 sq. ft.
<b>total cover</b>	<b>5,183 sq. ft.</b>
<b>land area</b>	<b>8,467 sq. ft.</b>
<b>61.2% impervious cover</b>	



State of Texas:  
County of Travis:

The undersigned does hereby  
certify that this survey was  
this day made on the  
property legally described  
hereon and is correct, and  
this survey substantially  
complies with the current  
Texas Society of Professional  
Surveyors Standards and  
Specifications for a Category  
BI Condition II Survey.  
Dated this 6TH day  
of MARCH, 2019.

And I certify that the property  
shown hereon IS NOT  
within a special flood hazard  
area as identified by the  
Federal Insurance Adm.  
Department of HUD Flood  
hazard boundary map revised  
as per Map Number:  
48453C0585H

Zone: X  
Dated: SEPTEMBER 26, 2008

N 30°03'00" E 100.34' as found\*\*\*  
BEARING BASE (99.91") record\*\*\*

**Mandchaca Road**

*Thomas P. Dixon*  
Thomas P. Dixon R.P.L.S. 4324  
FIRM# 10124400  
www.WaterlooSurveyors.com - Austin, Texas - (512)481-9602



© Copyright 2019

**EXHIBIT  
PROPER  
SURVEY**



# City of Austin

P.O. Box 1088, Austin, TX, 78767

## AUSTIN **CODE** DEPARTMENT

### **NOTICE OF VIOLATION**

**Case Number: CV-2017-082578**

Via Certified Mail #7017 0190 0000 3851 3436

May 10, 2019

MARQUEE INVESTMENTS LLC  
PO BOX 82653  
AUSTIN, TX 78708-2653

RE: 1907 INVERNESS BLVD AUSTIN TX 78745  
Locally known as 1907 INVERNESS BLVD AUSTIN TX 78745  
Legally described as LOT 1 BLK G DEER PARK SEC 3  
Zoned as SF-3-NP  
Parcel Number 0411131001

Dear MARQUEE INVESTMENTS LLC:

The City of Austin Code Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at (512)974-2345 or Erica.Thompson@austintexas.gov. Please reference **case number** CV-2017-082578. Hours of operation are: Monday – Friday, 7:30 a.m. - 4:00 p.m. If I am unavailable, contact the Code Connect line at (512) 974-CODE (2633) or codeconnect@austintexas.gov.

Para obtener más información, llame al (512)974-2345 o enviar un correo electrónico a Erica.Thompson@austintexas.gov. Por favor, consulte **caso número** CV-2017-082578. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m. Si no estoy disponible, comuníquese con Code Connect marcando al (512) 974-CODE (2633) o por correo electrónico codeconnect@austintexas.gov.

Sincerely,

Erica Thompson, Austin Code Officer  
City of Austin Code Department



FOR CODE QUESTIONS, CONTACT:  
**512.974.CODE (2633)**  
CODECONNECT@AUSTINTEXAS.GOV  
MONDAY - FRIDAY 8:00 AM - 4:00 PM



**MAY 2019  
NOTICE OF VIOLATION**



## VIOLATION REPORT

**Date of Notice:** May 10, 2019

**Code Officer:** Erica Thompson

**Case Number:** CV-2017-082578

**Property Address:** 1907 INVERNESS BLVD AUSTIN TX 78745  
Locally known as 1907 INVERNESS BLVD AUSTIN TX 78745  
Zoned as SF-3-NP

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

### Violation Type: **STRUCTURE MAINTENANCE**

Austin City Code Section: Obtain Permit (§301.4)

Description of Violation: After receiving written notice that an activity was conducted on the premises without the appropriate permit, an owner must obtain a permit for the activity that was conducted without the appropriate permit.

Date Observed: 04/26/2019

Timeframe to Comply: 20 Day(s)

Recommended Resolution: Obtain all permits and final inspection for the work completed listed below:

1. There is a rear addition that is in the set back on the southeast corner of this original structure. The addition was added sometime between 2015 and 2017.

The side yard set back for a NO-MU-NP zoned property is 5 feet per LDC 25-2-492 last amended in 2010.

2. The house was originally built with a brick veneer and is currently all vinyl siding. This was altered between 2015 and 2017.

3. There is a rear deck that was added between 2015 and 2017.

4. There are 3 dormers added to the roof between 2015 and 2017.

5. There was one small window and glass sliding doors on the front (north) side of the house. Those were replaced with two large picture windows between 2015 and 2017.

**Notes:** If the corrective action requires a permit or demolition, please contact the Development Services Department at 311. You can also visit <http://www.austintexas.gov/department/development-services> for more information.

In order to close the above code violation(s), an inspection will need to be conducted. Please contact Austin Code Department Officer Erica Thompson at (512)974-2345 or [Erica.Thompson@austintexas.gov](mailto:Erica.Thompson@austintexas.gov) to schedule an inspection.

Si no puede leer esta notificación en inglés, pida una traducción en español.

**Appeal:** Any structure maintenance issue indicated in this report may be appealed to the Building and Standards Commission. The appeal must be filed no later than **20 days** after the date of this notice and contain **all** of the following information:

- a brief statement as to why the violation is being appealed
- any facts that support the appeal
- a description of the relief sought

- the reasons why the appealed notice or action should be reversed, changed, or set aside
- the name and address of the appellant

An appeal may be delivered in person to our office located at 1520 Rutherford Lane or mailed to:  
**Building and Standards Commission, c/o Austin Code Department, P.O. Box 1088 Austin, Texas 78767.**

**Violation Type: PROPERTY ABATEMENT**

Austin City Code Section: Duty to Maintain Property In Sanitary Condition (§10-5-21)

Description of Violation: An owner, tenant, resident or person in charge of any property within the City of Austin must maintain said property free of grass and weeds over 12 inches tall, brush, garbage, rubbish, trash, debris, standing water or other objectionable, unsightly or unsanitary matter.

Date Observed: 04/26/2019

Timeframe to Comply: 7 Day(s)

Recommended Resolution: Mow all grass and weeds exceeding 12 inches in height and maintain property.

**Notes:** Failure to correct this condition by the above deadline may result in City action to clean the property at your expense. **Should another violation occur within one year of the date of this notice, the City may take action to clean the property without further notice to you and at your expense.**

**Appeal:** An owner may appeal a notice of violation issued under this article by filing a written statement with the director of the designated department not later than the seventh day after the notice is given. An owner may only appeal on the following grounds:

- (1) The notice was not properly served; or
- (2) A violation did not exist on the property on the date the notice was issued.

An appeal may be delivered in person to the Austin Code Department located at 1520 Rutherford Lane or mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

## **IMPORTANT INFORMATION**

**Failure to Correct**

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancellation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

### **Ownership Information**

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Austin Code Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at [www.austintexas.gov/code-resources](http://www.austintexas.gov/code-resources), or at the office at 1520 Rutherford Lane. The completed affidavit should be mailed to: **City of Austin Code Department, P.O. Box 1088, Austin, Texas 78767.**

### **Complaints**

You may file a written complaint or commendation regarding an Austin Code Department Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Code Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**





*Summer*  
**READY**  
WITH AUSTIN CODE DEPARTMENT

# *Summer* **READY**

WITH AUSTIN CODE DEPARTMENT  
#ACDsummerready

2019

Austin Code wants to know, are you Summer Ready? Summer should be about running barefoot in your yard, barbeques and pool parties, *not* about bug bites or uncomfortable rashes!

The Texan summer heat and standing water are ideal conditions for mosquitoes and other bugs to thrive.

Before the summer heats up, let's do a quick look around your house:

- ✓ Keep your lawn shorter than 12 inches.
- ✓ Flip over containers that have dirty water.
- ✓ Don't dump tires and other items, recycle!

Report a code violation by calling 3-1-1 or by submitting a report online.

For more information on what you can do to keep your yard safe, contact the Austin Code Department at (512) 974-2875 or online at [www.austintexas.gov/code](http://www.austintexas.gov/code)



**AUSTIN**CODE  
DEPARTMENT

#ACDSummerRead





# Summer READY

WITH AUSTIN CODE DEPARTMENT

#ACDsummerready

2019

El departamento de códigos de la ciudad de Austin quiere saber, ¿estás listo para el verano?

El verano se trata de correr descalzo en tu jardín, carnitas y fiestas en la piscina, ¡NO de bichos y piquetes de mosquitos!

¡Haz algo!

- ✓ Mantén tu césped 12 pulgadas o más corto.
- ✓ Voltea las macetas o recipientes de plástico para que no se conviertan en criaderos de mosquitos.
- ✓ Lleva llantas viejas y otros artículos grandes a tu centro de reciclaje local, no los tires a la calle

Para hacer un reporte, llame al 3-1-1 o repórtalo en línea.

Para mas información, contacte al departamento de código de la ciudad de Austin al (512) 974-2875 o en línea: [www.austintexas.gov/code](http://www.austintexas.gov/code).



AUSTINCODE  
DEPARTMENT

Summer  
READY  
WITH AUSTIN CODE DEPARTMENT

#ACDSummerReady



## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 22, 2019, Planning Commission  
February 21, 2019, City Council

GREGORY DAXTON

Your Name (please print)

☐ I am in favor  
☒ I object

1905 INVERNESS BLVD, AUSTIN TX  
Your address(es) affected by this application 78745

GREGORY DAXTON

Signature

01.15.2019

Date

Daytime Telephone: 512.827.6200

Comments: CHANGING ZONING IS A SLIPPERY SLOPE; THE  
IMPACTS MAY NOT BE IMMEDIATE BUT OWNERS, OCCUPANTS,  
& BUSINESS MODELS WILL CHANGE. THIS IS A YOUNG FAMILY  
NEIGHBORHOOD (AT LEAST 3 CHILDREN & 2 EXPECTANT MOMS W/IN  
500 FT ON INVERNESS ALONE). WE WORRY ABOUT THE QUALITY  
OF LIFE & SAFETY FOR OUR 2 CHILDREN (AGES 10 MOS +  
5 YRS) + THE NEGATIVE IMPACT ON OUR HOME VALUE. STREET  
PARKING IS ALREADY AN ISSUE AT OUR HOUSE AND THERE ARE  
EMPTY  
NUMBER OF COMMERCIAL LOTS WITHIN 1/4 MI THAT COULD  
SERVE THIS NEED WITHOUT SACRIFICING BFG HOUSING

If you use this form to comment, it may be returned to:

THANK YOU

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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**Case Number: C14-2018-0141**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearings: January 22, 2019, Planning Commission  
February 21, 2019, City Council**

Dave Chakos / Carrie West

Your Name (please print)

1807 Inverness Blvd

Your address(es) affected by this application

D Chakos / Carrie West

Signature

☐ I am in favor  
☒ I object

1-14-19

Date

Daytime Telephone: 406-855-0825 / 512-426-1188

Comments: We want to keep Inverness a  
family residence neighborhood. We don't  
want a business here that will generate  
worse parking problems than we have due  
to all the businesses on Manchaca.  
Neighbors on Inverness are also  
concerned that the type of business  
that may go in this spot is undesirable  
for us all

If you use this form to comment, it may be returned to:  
City of Austin

Planning & Zoning Department

**Wendy Rhoades**

P. O. Box 1088

Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Thanks,  
Jan.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 22, 2019, Planning Commission  
February 21, 2019, City Council

Bryan & Jen Paul.

Your Name (please print)

☐ I am in favor  
☒ I object

1906 Inverness Blvd Austin TX  
Your address(es) affected by this application 78745  
11/8/19.

*[Signature]*

Signature

Date

Daytime Telephone: 512-825-8784

Comments: WE have lived here for over 6  
years and have seen this neighborhood  
progress significantly. Young families moved in, homes  
are being updated and several nice new homes built.  
3 young families live within 500ft of this property.  
I have 2 young children, the others include 2  
expecting moms (including me). This is a residential  
neighborhood, all homes face residential streets. WE  
worry re-zoning will impact the quality of life and  
safety of our children, as well as the value of  
our home.

If you use this form to comment, it may be returned to: our home  
City of Austin  
Planning & Zoning Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810  
PARKING is already difficult  
and there are several empty  
commercial buildings that  
could be used for  
parking instead of sacrificing  
5-3 housing. WE fear opening

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

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Case Number: C14-2018-0141

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 22, 2019, Planning Commission  
February 21, 2019, City Council

2/7/2019

George E. Mosley & Elizabeth M. Mosley

Your Name (please print)

1802 N. VERNESS BLVD  
AUSTIN, TX 78745

☐ I am in favor  
☒ I object

Your address(es) affected by this application

George E. Mosley & Elizabeth M. Mosley  
Signature Date

Daytime Telephone: 512-444-5124

Comments: "NO" - THIS CORNER LOT HAS BEEN A PROBLEM FOR DECADES - WE'VE PUT UP WITH PALM READERS WITH ILLEGAL SIGNS - USED CAR LOT & CARS PARKED EVERYWHERE ON THE FRONT LAWN.

There is NO PARKING room for any business. I'm tired of our street filled on both sides

E.M.M.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



## Rhoades, Wendy

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**From:** Alanna Gold <[gold.alanna@gmail.com](mailto:gold.alanna@gmail.com)>  
**Sent:** Tuesday, January 22, 2019 3:01 PM  
**To:** Rhoades, Wendy  
**Cc:** Greg Dayton; Jennifer Paul; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson; Dave Chakos  
**Subject:** Re: Available to Meet? Case #: C14-2018-0141

That context is helpful, thank you.

Sent from my iPhone

On Jan 22, 2019, at 2:59 PM, Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

The property is currently owned by Alex Bahrami of Marquee Investments, LLC. I spoke with Mr. Bahrami and he said that a prospective tenant is interested in occupying this structure with an insurance office (the admin / business office use) and also residing there. Occupying the property with an office use and retaining a residential component is the basis for the rezoning request to LO-MU-NP.

Wendy

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**From:** Alanna Gold [<mailto:gold.alanna@gmail.com>]  
**Sent:** Tuesday, January 22, 2019 2:30 PM  
**To:** Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>  
**Cc:** Greg Dayton <[gregory.dayton@gmail.com](mailto:gregory.dayton@gmail.com)>; Jennifer Paul <[jengauldingpaul@gmail.com](mailto:jengauldingpaul@gmail.com)>; John Donaruma <[Donaruma91@gmail.com](mailto:Donaruma91@gmail.com)>; bryan paul <[bryanpaul@gmail.com](mailto:bryanpaul@gmail.com)>; Merila Thorne-Thompson <[merilawalker@gmail.com](mailto:merilawalker@gmail.com)>; John Thorne-Thompson <[jthornethompson@gmail.com](mailto:jthornethompson@gmail.com)>; Dave Chakos <[dchakos@gmail.com](mailto:dchakos@gmail.com)>  
**Subject:** Re: Available to Meet? Case #: C14-2018-0141

Thanks, Wendy. I'm confused about the applicant wanting to occupy the structure and use it for a business given that it's currently for sale. Am I misunderstanding the intent at this point? I would be my assumption that the applicant can't guarantee that it will be used as stated I'd they're selling the property.

Alanna Dayton

Sent from my iPhone

On Jan 22, 2019, at 1:58 PM, Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

Hi everyone,

Please see my responses below.

Wendy

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**From:** Greg Dayton [<mailto:gregory.dayton@gmail.com>]  
**Sent:** Friday, January 18, 2019 7:41 PM



To: Jennifer Paul <jengauldingpaul@gmail.com>  
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Alanna Gold  
<goldalanna@gmail.com>; John Donaruma <Donaruma01@gmail.com>; bryan paul  
<bryanpaul@gmail.com>; Merila Thorne-Thompson <merila-walker@gmail.com>; John  
Thorne-Thompson <jthornethompson@gmail.com>; Dave Chakos <dchakos@gmail.com>  
Subject: Re: Available to Meet? Case #: C14-2018-0141

Hi Wendy,

I'm Jen's neighbor across the street at 1905 Inverness and I agree with Jen. I have sent in a written response to the notification and will be attending both hearings. I received your comment response form by mail and it is part of the packet that the Planning Commission is reviewing in advance of tonight's meeting. I also received Jen's comments and Dave Chakos / Carye West's comments in this morning's mail and these two comment response forms will be made available to the Planning Commission before tonight's meeting.

I have another question: It's my understanding that the structure at 1907 Inverness does not meet code. The property will likely be completely redeveloped if the property gets the new zoning. Would a new build comply with the setback and height standards in [Subchapter C, Article 10](#)? As I read it, any new build on 1907 Inverness would probably have to be setback 20-25 feet from 1905 Inverness Blvd, given that the frontage road travels apx. 100 feet along 1907 Inverness [ [§ 25-2-1062 - HEIGHT LIMITATIONS AND SETBACKS FOR SMALL SITES](#)]. To my knowledge, the Applicant intends to occupy the existing structure with an administrative and business office and also reside within the existing structure (hence the MU overlay). However, if the Applicant wishes to remove the existing structure, then yes, they would have to comply with the setback and height standards cited above.

Will any driveway or parking lot comply with the requirements in article 10 if it is rezoned? [ [§ 25-2-1067 - DESIGN REGULATIONS](#) ] Yes, at the time of site plan application, the Applicant will have to demonstrate that the parking area on Inverness meets current driveway and parking standards or is otherwise grandfathered (see below).

Essentially, I'd like to know what assurances I have, as the adjacent property owner, that there will be a buffer for proper redevelopment of the site under LO zoning.

Still, it is our preference that Inverness Blvd. remain a residential neighborhood.

Thanks,

Greg Dayton

On Jan 18, 2019, at 6:11 PM, Jennifer Paul <jengauldingpaul@gmail.com>  
wrote:

Hi Wendy,

Thanks again for meeting with me a while back regarding the rezoning application for 1907 Inverness Blvd Case #: C14-2018-0141

We received the notice of the 1/22 Planning Commission and 2/21 City Council this past Monday 1/14 (attached). Several of the neighborhood residents met to discuss our thoughts around this application. All of us live within 500 ft of the property. Most of us are adjacent or catty -corner from it. We will represent our community at both of the meetings. This most recent notice proposes LO as well as MU-Mixed Use, which was not included on the original notice. This raises additional concerns of ours as MU appears to allow more flexibility including commercial use.

Is that correct? The MU allows for residential use to occur, but not commercial use. In this case, the Applicant wants to continue occupying the structure as his residence, and also convert a portion of it to an insurance office, which is a type of administrative and business office.

My husband and I have lived here for over 6 years and we have seen the community significantly improve during that time. Young people and families moved in, multiple homes have been updated, and there have been several nice new homes built. Businesses that boost our community such as the new Austin Java and Bikes-A-Lot across Manchaca are moving in. This is a family-friendly, safe, close-knit neighborhood and we want to preserve that community value. There are at least 3 young families within 500 feet of the property. One has 2 young children and the others include 2 expecting mothers. 1907 faces Inverness, not Manchaca Street. It is at the end of our established residential neighborhood, and though there is commercial space across Manchaca Street there is no commercial in our neighborhood. Our neighborhood is a pocket consisting of 6 streets and all homes face those residential streets.

Below are our initial responses. Please let us know if you have any additional information that would shed some light on these.

1. Do we have any say as to what type of business would be opened or once the permit is granted, it could be anything listed on the approved use chart? Land uses allowed by the LO zoning district and the MU, Mixed Use overlay would be allowed if the requested zoning change is approved by the City Council. However, an administrative / business office use is broadly defined as the use of a site for the provision of executive,



management, or administrative services, and for example includes real estate, property management, investment firms, travel agencies, personnel agencies, and business offices for organizations or associations. If the use changes from an insurance office to a real estate office for example, then the owner is still operating an administrative and business office use and may not need to obtain any new building permits.

2. If it does get turned into LO, MU space, is it easier for it to turn into other types of businesses with different permits? If LO-MU zoning is approved, then other uses permitted in the LO district would be allowed (unless otherwise prohibited by the zoning ordinance). These include professional offices, medical office, personal services and residential treatment. As info, a personal services use is a conditional use in the LO district which requires Planning Commission approval of the site plan, but a few examples are a dry cleaners, or a hair / nail salon, or a tattoo shop. A residential treatment facility is also a conditional use. At the time of site plan or site plan exemption application, the Applicant will have to demonstrate compliance with the City's parking and access standards.

3. How does the illegal additions/ non-permitted structures factor into what happens to the property? Any illegal additions or non-permitted structures will be addressed with a site plan or a site plan exemption application. Unpermitted work may need to be brought into compliance with City Code. As info, a 1986 aerial shows that the parking area was in place at that time, and therefore, may be grandfathered.

4. Is there anything in particular we need to prepare for the Planning Commission and City Council Meetings? Please help us understand the purpose of these meetings and our role. This case is Agenda Item #14 on tonight's PC agenda and will be a discussion case. Please arrive by 6 p.m. to sign in for this case and be sure to bring your City Hall parking ticket with you so that we can validate it.

#### Concerns

1. Type of Business, given it's a family neighborhood and would not want it to become a treatment facility/ public housing.
2. Potential negative impact on home value.
3. Sellers aren't interested in making the lot something beneficial for the community, given the other types of business they own around Austin (strip clubs, etc)
4. Parking - a business will bring more people needing to park on our street. Given the other business and retail in close proximity, this will make parking even more challenging. Parking is already an issue.

5. There are several empty commercial spaces within 1/4 miles that could serve this need without sacrificing SF-3 housing and our community.

We appreciate your time and insight,  
Jen Paul

On Mon, Dec 10, 2018 at 7:02 PM Jennifer Paul  
<[jensauldingpaul@gmail.com](mailto:jensauldingpaul@gmail.com)> wrote:

Thanks again Wendy.

It was nice meeting you last week. I appreciate your time and insight. I have reached out to the South Manchaca Contact Team and will let you know if I have any more questions.  
Jen

On Thu, Dec 6, 2018 at 4:05 PM Rhoades, Wendy  
<[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

Link to case info.

<https://abc.austintexas.gov/attachment/attachmentDownload.jsp?p=rhL9yeJHMmUCynYV0gpaHYQlUeakbjOS5oWueW5EJlq7inE%2BsPiJJR3CO38Fn9WPo5kPrLtpNNStXeZqZRRcx%2Flp5lbjViGuhHQxezm7nSR1bjaDFK%2FArNngBAdk0D06>

**From:** Jennifer Paul [mailto:[jensauldingpaul@gmail.com](mailto:jensauldingpaul@gmail.com)]  
**Sent:** Thursday, December 06, 2018 4:01 PM  
**To:** Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>  
**Subject:** Re: Available to Meet? Case #: C14-2018-0141

## Rhoades, Wendy

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**From:** John Thorne-Thomsen <[jthornethomsen@gmail.com](mailto:jthornethomsen@gmail.com)>  
**Sent:** Tuesday, January 22, 2019 6:19 PM  
**To:** Rhoades, Wendy  
**Cc:** Greg Dayton; Jennifer Paul; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; Dave Chakos  
**Subject:** Re: Available to Meet? Case #: C14-2018-0141

Hi Wendy-

My wife, our two sons and I live at 1902 Inverness. I wanted to take a chance to voice my opinion and concerns on this matter. We are unable to attend tonight's meeting as we were just discharged from the hospital with our second-born this afternoon. My family and I have been in touch with Greg and Alanna, and Jen and Bryan about this matter and we believe they have accurately voiced our feelings on this matter. We fully support their opinions and have similar questions with respect to rezoning that property.

For what it's worth, my wife and I have lived on Inverness since 2008. There are many of us who have moved to this neighborhood started families. We have worked hard to improve our home and improve our neighborhood. In doing so, we've built a strong community of young families around ourselves. While we are open-minded, we are concerned about the character of the development in the transition zone along Manchaca as outlined in the neighborhood plan. In addition to the concerns Greg listed, street parking and the through traffic on our street continue to be a huge concern and we aren't sure how to reconcile the proposed rezoning with our safety as we walk and live along our streets.

Thank you for your time,  
John

On Tue, Jan 22, 2019 at 1:58 PM Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

Hi everyone,

Please see my responses below.


Wendy

**From:** Greg Dayton [mailto:[gregory.dayton@gmail.com](mailto:gregory.dayton@gmail.com)]  
**Sent:** Friday, January 18, 2019 7:41 PM  
**To:** Jennifer Paul <[jengauldingpaul@gmail.com](mailto:jengauldingpaul@gmail.com)>  
**Cc:** Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>; Alanna Gold <[gold.alanna@gmail.com](mailto:gold.alanna@gmail.com)>; John Donaruma <[Donaruma01@gmail.com](mailto:Donaruma01@gmail.com)>; bryan paul <[tbryanpaul@gmail.com](mailto:tbryanpaul@gmail.com)>; Merila Thorne-Thompson <[merila.walker@gmail.com](mailto:merila.walker@gmail.com)>; John Thorne-Thompson <[jthornethomsen@gmail.com](mailto:jthornethomsen@gmail.com)>; Dave Chakos



## Rhoades, Wendy

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**From:** Dave Chakos   
**Sent:** Monday, January 28, 2019 7:39 AM  
**To:** Burkhardt, William - BC; Seeger, Patricia - BC; Shieh, James - BC; Kazi, Fayez - BC; Thompson, Jeffrey - BC; DeHoyosHart, Angela - BC; Anderson, Greg - BC; Kenny, Conor - BC; McGraw, Karen - BC; Shaw, Todd - BC; Witte, Tracy - BC; Schneider, Robert - BC; Flores, Yvette - BC; Teich, Ann - BC  
**Cc:** Carye West (ICE); Gregory Dayton; to: Jennifer Paul; Rhoades, Wendy; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson; Dave Chakos  
**Subject:** 1907 Inverness Blvd; Case Number: C14-2018-0141 Rezoning Request

Good morning Austin Planning Commission,

I am e-mailing to you all this morning regarding the proposed zone change of 1907 Inverness (at the zoning commission meeting last Wednesday it was incorrectly labeled as 1903 Inverness) from SF-3/NP to LO/MU.

Myself and 4 other homeowners close to 1907 Inverness were all at the planning commission meeting on January 22nd and were disappointed that our case had been postponed. There has been a rally of many homeowners on our block to try to find out how to keep this rezoning from passing so I wanted to reach out to you because going to meetings is both time consuming and ineffective.

1907 Inverness was built along with all the other houses on Inverness Blvd. in the 1960's and zoned as "family residence". When the previous owner of 1907 Inverness Blvd purchased the property, they operated a "palm reading" business out of the home (illegally I assume) and after extensive renovations were done on that property (I understand also illegally or at least without any permits) again, a "palm reading" was operated out of it (again illegally I assume). Someone in the neighborhood gave the Austin Code department a heads up of the additions without a permit which resulted in the family moving out and the home being sold. The current owner of the property who is requesting the zoning change purchased the home knowing the property is zoned "family residence".

At least 10 homes on Inverness Blvd. along with their 10+ inhabitants were all very upset to learn about the proposed zoning change of this property. There have been a slough of emails directed at the case manager Wendy Rhodes (and bless her heart for her patience and professionalism) but she has no control over what happens to this property.

In a nutshell (and this is VERY important):

There are at least 20 tax paying homeowners on Inverness Boulevard who oppose this proposed zoning change and only 1 person who wants it to pass (the current homeowner). For the record, 5 homeowners from Inverness Blvd appeared at the January 21st meeting and the homeowner did not show up (just a paid representative).

Please do the right thing and keep Inverness Blvd a Family Residence.

Thank you for your time and consideration in this matter,

--

Dave Chakos  
1807 Inverness Blvd.  


## Rhoades, Wendy

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**From:** Gregory Dayton <gregdayton@gmail.com>  
**Sent:** Monday, January 28, 2019 11:32 AM  
**To:** Dave Chakos  
**Cc:** Burkhardt, William - BC; Seeger, Patricia - BC; Shieh, James - BC; Kazi, Fayez - BC; Thompson, Jeffrey - BC; DeHoyosHart, Angela - BC; Anderson, Greg - BC; Kenny, Conor - BC; McGraw, Karen - BC; Shaw, Todd - BC; Witte, Tracy - BC; Schneider, Robert - BC; Flores, Yvette - BC; Teich, Ann - BC; Carye West (ICE); to: Jennifer Paul; Rhoades, Wendy; Alanna Gold; John Donaruma; bryan paul; Merila Thorne-Thompson; John Thorne-Thompson  
**Subject:** Re: 1907 Inverness Blvd; Case Number: C14-2018-0141 Rezoning Request

Austin Planning Commission,

I agree with Dave Chakos's email. My wife and two children (ages 10 months and 3 years) live in the house immediately next door to 1907 Inverness Blvd.

We too are concerned about maintaining the family character of our neighborhood. We were very happy to discover when we moved to Inverness Blvd four years ago that there were many young families. It's a great place to live and we've made a lot of good friends - friends who watch each others' houses, who's children play together, and spend afternoons together.

As Dave mentioned, we did not meet the owner at the recent meeting. Though we were told by his representative that the owner is negotiating with a tenant to live and work in 1907 Inverness, the property is currently listed for sale both online and with a large commercial "For Sale" sign on the property's fence facing Manchaca Road. We find this discrepancy to be very concerning.

There appears to be no motivation or incentive by the current property owner to respect the character of the neighborhood or the desires of its residents. Further, if the property is rezoned, we have neither a guarantee of the owner's stated intent nor protections against further attempts to change the LO designation that would allow other types of use.

Please listen to the homeowners and residents and help us maintain our family neighborhood.

Thank you for your time.

Greg Dayton  
1905 Inverness Boulevard  
~~gregdayton@gmail.com~~

On Jan 28, 2019, at 7:39 AM, Dave Chakos <~~dchakos@gmail.com~~> wrote:

Good morning Austin Planning Commission,

## Rhoades, Wendy

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**From:** Jennifer Paul <jengauldingpaul@gmail.com>  
**Sent:** Sunday, February 10, 2019 10:43 PM  
**To:** Merila Walker  
**Cc:** Greg Dayton; Rhoades, Wendy; Flores, Yvette - BC; DeHoyosHart, Angela - BC; Kazi, Fayez - BC; Kenny, Conor - BC; McGraw, Karen - BC; Schissler, James - BC; Schneider, Robert - BC; Seeger, Patricia - BC; Shaw, Todd - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Burkhardt, William - BC; Mendoza, Richard [AW]; John Donaruma; Dave Chakos; John Thorne-Thompson; Skye Best; Mitch Epps; bryan paul; Alanna Gold; Anderson, Greg - BC; Teich, Ann - BC  
**Subject:** Re: OBJECTION: Rezoning of 1907 Inverness C14-2018-0141

Planning Commission Representatives,

Please let the record reflect that my family also opposes the rezoning of 1907 Inverness Blvd. My husband Bryan and I echo the concerns outlined by our neighbors. We are the owners of 1906 Inverness Blvd directly across the street from this property. Greg is correct, the palm reader did not have a permit to conduct business and eventually was forced to take down her sign.

This neighborhood has been our home since 2012 and it means so much to us. We have had the pleasure of building a community with our neighbors and see their families grow. We ourselves are expecting our first child this month and look forward to raising her here. Please hear our united voice and help us preserve the safe, family-oriented culture of our neighborhood.

Thank you for your time, we appreciate it.  
Jen and Bryan Paul  
1906 Inverness Blvd

On Sun, Feb 10, 2019 at 9:05 PM Merila Walker <[merila.walker@gmail.com](mailto:merila.walker@gmail.com)> wrote:  
Wendy and Planning Commission Representatives:

Please let the record reflect that my family and I strongly oppose the rezoning of the property at 1907 Inverness Blvd. Greg Dayton (at 1905 Inverness Blvd) laid out the many reasons for our opposition to the rezoning of that property. I wholeheartedly concur with each of the reasons he described for this opposition.

My husband John and I have lived at 1902 Inverness Blvd since the summer of 2008. We love our neighborhood and our neighbors. We are looking forward to raising our two sons (ages 3.5 years and three weeks) here. Please don't erode the edge of our neighborhood. Please help us keep our neighborhood and our kids safe.

Thank you for your consideration.

Sincerely,  
Merila Walker Thorne-Thomsen  
1902 Inverness Blvd

On Sat, Feb 9, 2019 at 11:55 PM Greg Dayton <[gregory.dayton@gmail.com](mailto:gregory.dayton@gmail.com)> wrote:  
Wendy and Planning Commission Representatives:



We wanted to give you an update on the status of our questions and concerns after reviewing the case back-up notes posted on the Austin.gov website.

Following the postponement of the January 22nd hearing and our introduction with Johnathan Perlstein, the owners of properties adjacent and near 1907 Inverness Blvd met and agreed that we are still in **OBJECTION** of the property being rezoned. We have worked to gather additional support of our position in the form of a petition which we will deliver to Wendy Rhoades on Monday. This petition has the signatures of property owners from Inverness Blvd., St. Albans Blvd., Kings Highway, Brittnay Blvd., and Fair Oaks Dr. **The owners who signed the petition are requesting that the Planning Commission deny the zoning change at 1907 Inverness so that it remain SF-3.**

**Please include the following in the case back-up materials for the review of the planning and zoning representatives: The forthcoming petition, this email, and any other emails sent since January 22 and before the February 12 hearing in objection to this zoning change.**

Also, the back-up materials included comments about the "Psychic Business" that operated in that home before the current owner took possession. It is our understanding that this was an unpermitted business that was shut down by the city. Further, it was a business that seemed to be more of a hobby for the previous owner than an income-generating business. Specifically, we did not see any foot traffic that could be identified as customers.

#### **Why we Object:**

1. *Neighborhood safety* - Due to the substantial number of uses that could be permitted under the LO-MU designation, we strongly protest the rezoning of 1907 Inverness Blvd and insist it remain SF-3. It is clear to us that what could begin as an insurance office and living space might quickly become something different and less stable for our community.

2. *Truthfulness and intent*: Following the January 22 meeting, Wendy Rhoades introduced the neighborhood owners in attendance to the representative of Marquee Investments, Mr. Johnathan Perlstein. Mr. Perlstein assured us that a tenant was in negotiation to live and work out of 1907 Inverness Blvd (one who was a State Farm agent and would only see a few clients a month - this seems counterintuitive). At that time, we pointed out that the property was listed for sale online and there was a large for sale sign from a commercial realtor posted on the property. Mr. Perlstein said that was a mistake and the property was not for sale. However, since that meeting, the property has been continuously listed for sale as a commercial space both online and the for sale sign remains (the listing was updated as recently as February 5, 2019 by the realty company "Commercial Market Exchange": <https://www.loopnet.com/Listing/1907-Inverness-Blvd-Austin-TX/14081542/> - screenshot attached as pdf as well as photo of sign). Therefore, we do not believe in the assurances of the owner or their representatives. Further, this discrepancy in the facts leads us to doubt the integrity and intentions of Marquee Investments.

3. *Current ownership, commercial zoning, and a lack of stability* - The following is a list of properties and the tenants of the owners of Marquee Investments that was culled from the Travis Central Appraisal District, Austin Zoning Records, and internet research:

- 2105 Justin Lane, 78757 - Justin Plaza. Costmetics & beauty company, State Farm Insurance, AA, 2 salons, auto title, surveying company, barber shop, nail salon,
- 1705 Bench Mark Dr, 78728 - two contracting companies
- 15307 Ginger St, 78728 - warehouse property [for sale by Commercial Market Exchange](#) which [listed 1907 Inverness as a commercial property for sale](#)



- 11102 Bluff Bend Dr, 78753 - commercial warehouse - Austin Countertops
- 11020 Bluff Bend Dr, 78753 - commercial lot adjacent to 11102 Bluff Bend used by Austin Countertops
- 2711 Kelly Ln, 78660 - warehouse space [also for sale by Commercial Market Exchange](#) that has [listed 1907 Inverness as a commercial property for sale](#).
- 201 W. Powell Lane, 78753 - lawn maintenance company,
- 1934 Rutland Dr, 78758 - Paris Hookah Lounge
- 2801 East 5th Street, 78702 - dog grooming business
- Corner of West 5th & Congress in 2015/2016. The owners Proposed strip club at this location and a site plan application was submitted to the city by [Aus-Tex Consulting](#). (the company contracted by Marquee investments to coordinate 1907 Inverness zoning change ). Currently home to Shiner's Saloon
- 103 W. 5 St - office
- 4605, 4607, 4609 N Interstate HY 35 TX 75751 - A children's science academy, empty lot, and the Royal Hookah Cafe.
- 9558 HY 290 78724 - empty lot, second to the west from Reservoir Ct
- 9701 E HY 290 78724 - empty lot on east side of Reservoir Ct and Frontage road
- 9705 Reservoir Ct, 78724 - lot adjacent to 9701 E HY 290. Formerly Pink Monkey Caberet adult club.
- 9704 Reservoir Ct, 78724 - empty lot across from 9705 Reservoir Ct.
- 9570 Reservoir Ct, 78724 - empty lot at corner of Reservoir Ct and 290 frontage road.
- 704 W St. Johns Ave 78752 - Visible Style Hair Salon
- 7205 N Lamar Blvd, 78752 - DC Tatts (tattoo shop), Happy Clouds (head shop/smoke shop), Queen Eyebrow Threading, Beauty Salon
- Property ID 267821 - empty lot
- Property ID 267822 - empty lot
- 401 FM RD 685, 78660 - Commercial lot with shopping at front (am/pm Grocery), and warehouse space behind it early learning center, sign shop, boxing gym, tire ship, wrestling gym.
- 15505 I-35, 78660 - car sales
- Property ID 821836 - empty lot

We don't have an issue with Marquee Investments using their resources to develop properties. And we also understand that not all of these businesses could operate on an LO-MU property but we list Marquee Investment's properties and tenants to illustrate the wide net that an investment company casts when finding tenants (and, by extension, buyers of the property). However, we do not want to see this lot rezoned and opened for the many types of uses that fall under the LO-MU code - we have no doubt that the highest bidder will win the day and the desires of the community will not be a driving concern of Marquee Investments' owners. Further, we object to the uncertainty that may come with a commercial lot as opposed to the stability and certainty of an SF-3 residential lot, no matter who the owner may be. Finally, we see a possibility where this building is razed and the lot left empty until a commercial buyer is found at the right price. We base this on the fact that the building has some [outstanding code violations](#).

**Also, in looking over the above list, it is important to note that Marquee Investments has two of their other properties listed for sale with Commercial Exchange Market. Again, we find it hard to believe in any promises made by the owners as to the immediate and future use of the property.**

*4. Availability of commercial property in the surrounding neighborhood.* There are numerous available and/or vacant commercial spaces on Manchaca Rd. and W Stassney La. The following are all less than 0.5 miles from 1907 Inverness and the adjacent bus stop. This search was done in one afternoon and without the benefit of a realtor's aid. We simply walked the neighborhood, took notes, and checked the city and county records:



1. 1500 W Stassney La (see attached photos): formerly AAA News Inc. Zoned CS-V-LR-NP. apx. 14,000 sq ft, total. [Travis CAD - ID 511151](#)
2. 1604-1606 W Stassney La (see attached photos): 18,500 sf warehouse space listed as Stassney Business Center for lease on [LoopNet](#). [Travis CAD - ID 319736](#)
3. 2056 W Stassney La (see attached photos). Building is vacant - [City Zoning profile is blank](#) zoned as SM Store according to Travis CAD records. Building was submitted to Austin 311 for graffiti removal apx. 5 months ago (ID [18-00237957](#)). [Travis CAD - ID 511103](#)
4. 5700 Manchaca Road - Cherry Creek Plaza main building. [Three spaces listed on LoopNet for lease](#) : a) Suite 300 - retail (4000 sf) [currently City of Austin Municipal Court]. b) Suite 240 - Standard Retail (11,292-22,585 sf) currently retail, owner willing to divide. [Currently Thrift Town] c) Suite 310 - Office/Retail (900 sf). [Currently used as bakery kitchen but not for direct sale]. [Travis CAD - ID 319824](#)
5. 5608 Manchaca Rd (see attached photos). Formerly Subway currently empty and part of Cherry Creek Plaza Partnership. Note the commercial "For Lease" sign for food truck spaces. There is only one food truck in Cherry Creek Plaza [Travis CAD - ID 319826](#)
6. 2007 West Stassney Rd (see attached photos). Building is currently empty - food truck in front. part of Cherry Creek Plaza Partnership [Travis CAD - ID 319827](#)
7. 4908 Manchaca Rd. There is an office space for lease on [LoopNet](#), This property was purchased in late 2017 and renovated. The lease space is still available. [Travis CAD - ID 51013](#)
8. 5316 Manchaca Rd. Part of Crocket Square where Strange Brew was located. There is a for lease sign in front (directly across from the for sale sign for 1907 Inverness Blvd. See attached photos. [Travis CAD - ID 511072](#)

Further, we have several vape shops, a tattoo shop, several barber shops and hair salons, a title loan broker, and a pawn shop in the neighborhood. We don't see the need for more of these types of businesses but worry that that this is the kind of "Storefront Retail/Office" that Marquee Investments and Commercial Market Exchange are marketing in the sale listing referenced above and attached. And we do have some empty buildings that investors are not in a hurry to rent out or sell, instead taking the loss as a write-off. Again, we don't want to see that happen on our street.

5. *Parking and Street Safety.* Parking has been a chronic issue for all residents in this area of Manchaca Road. However, for those of us across the street from Crocket Square, we have a unique problem. When Austin favorite Strange Brew was open, the overflow parking landed directly across the street on Inverness Blvd. We also have ACC students that park on our street since we are the closest side street to the South Austin ACC Campus on the east side of Manchaca. And Since Austin Java opened across the street, the parking on Inverness has gotten worse (see attached photos). With the old Strange Brew space under renovation and [expected to be occupied by "Captain Quackenbush's Coffeehouse and Bakery"](#) soon, this problem will only intensify. Adding a commercial lot at 1907 Inverness, even if there are 4-6 available spaces on the property, will make a difficult problem even more dangerous. We don't have sidewalks on Inverness and a lot of children (infant - high school) and adult pedestrian traffic. During afternoon rush hour, Inverness, St. Albans, and Fair Oaks experience a high volume of traffic as people headed south will cut through our neighborhood to get to Stassney La. ***Add in commercial traffic coming and going from a property that faces Inverness Blvd, not Manchaca, we have serious concerns for the safety of our families and all that come through our neighborhood.***

Given the number of lots that have available or unused space, and the lack of affordable housing in South Austin, as well as our interest in keeping our neighborhood safe, we don't see the logic in changing the zoning of 1907 Inverness Blvd. In this case, the South Austin Neighborhood Combined Plan would not meet its stated vision if 1907 is rezoned. The vision: "Create a complete community that is mobile and interconnected; compact, accessible, and affordable; natural and sustainable; healthy, safe, creative, and engaged." As

outlined above, rezoning 1907 Inverness would negatively impact the residential character of our neighborhood, likely reduce the affordability of housing in the immediate neighborhood (by removing an SF-3); it would not be healthy or safe for the residents or South Austin at large, would degrade neighborhood safety and diminish the a growing community that has been building since ground was broken in 1967.

It is with this additional information and wider context that we urge the staff to change their position from "Recommend" to "Not Recommended. We will be in attendance on Tuesday and plan to formally address the Planning Commission with our wishes that 1907 Inverness Blvd remain SF-3.

Thank you for your time. We look forward to seeing you on Tuesday.

Greg Dayton  
1905 Inverness Blvd

# 1907 Inverness Blvd

Austin, TX 78745 · Retail For Sale



## TRANS CORNER PROPERTY ON MANCHACA RD

[Get Financing](#)

Price	<b>Upon Request</b>	Lot Size	<b>0.18 AC</b>
Property Type	<b>Retail</b>	Gross Leasable Area	<b>1,575 SF</b>
Property Sub-type	<b>Storefront</b>	No. Stories	<b>1</b>
	<b>Retail/Office</b>		
Building Class	<b>C</b>	Year Built	<b>1967</b>
Sale Type	<b>Owner User</b>	Zoning Description	<b>SF-3</b>

Listing ID: 14081542

Date Created: 10/15/2018

Last Updated: 2/5/2019

## DESCRIPTION

A prime, versatile property, on the corner of Inverness Blvd and Manchaca Rd. Located less than 4 miles from Barton Creek Greenbelt, and less than 6 miles south of Auditorium Shores at Town Lake and Downtown Austin, in the ever-evolving Westgate area. The surrounding neighborhood is full of Austin culture, including local restaurants, retail, and residential.

Martha Denham

Monica McClain

**Commercial Market Exchange**

512-831-8586

[Contact](#)



## Rhoades, Wendy

---

**From:** Alanna Gold <~~gold.alanna@gmail.com~~>  
**Sent:** Sunday, February 10, 2019 9:03 PM  
**To:** Greg Dayton  
**Cc:** Rhoades, Wendy; greg.anderson@austintexas.gov; Flores, Yvette - BC; DeHoyosHart, Angela - BC; Kazi, Fayez - BC; Kenny, Conor - BC; McGraw, Karen - BC; Schissler, James - BC; Schneider, Robert - BC; Seeger, Patricia - BC; Shaw, Todd - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Burkhardt, William - BC; Mendoza, Richard [AW]; ann.teich@austintexas.gov; John Donaruma; Dave Chakos; Merila Thorne-Thompson; John Thorne-Thompson; Skye Best; Mitch Epps; Jennifer Paul; bryan paul; Anderson, Greg - BC; Teich, Ann - BC  
**Subject:** Re: OBJECTION: Rezoning of 1907 Inverness C14-2018-0141

Planning Commission Representatives:

I agree with Greg's outline of why it's necessary to keep 1907 Inverness SF-3, and ask that you please keep the zoning as is. It is imperative for the preservation of the neighborhood and safety of the many children who live in the immediate vicinity and surrounding homes.

Thank you,

Alanna Dayton

On Sat, Feb 9, 2019 at 11:55 PM Greg Dayton <~~greg.dayton@gmail.com~~> wrote:  
Wendy and Planning Commission Representatives:

We wanted to give you an update on the status of our questions and concerns after reviewing the case back-up notes posted on the Austin.gov website.

Following the postponement of the January 22nd hearing and our introduction with Johnathan Perlstein, the owners of properties adjacent and near 1907 Inverness Blvd met and agreed that we are still in **OBJECTION** of the property being rezoned. We have worked to gather additional support of our position in the form of a petition which we will deliver to Wendy Rhoades on Monday. This petition has the signatures of property owners from Inverness Blvd., St. Albans Blvd., Kings Highway, Brittnay Blvd., and Fair Oaks Dr. **The owners who signed the petition are requesting that the Planning Commission deny the zoning change at 1907 Inverness so that it remain SF-3.**

**Please include the following in the case back-up materials for the review of the planning and zoning representatives: The forthcoming petition, this email, and any other emails sent since January 22 and before the February 12 hearing in objection to this zoning change.**

Also, the back-up materials included comments about the "Psychic Business" that operated in that home before the current owner took possession. It is our understanding that this was an unpermitted business that was shut down by the city. Further, it was a business that seemed to be more of a hobby for the previous owner than an income-generating business. Specifically, we did not see any foot traffic that could be identified as customers.

**Why we Object:**

## Rhoades, Wendy

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**From:** Greg Dayton <[gregory.dayton@gmail.com](mailto:gregory.dayton@gmail.com)>  
**Sent:** Sunday, February 10, 2019 8:11 PM  
**To:** Rhoades, Wendy; Flores, Yvette - BC; DeHoyosHart, Angela - BC; Kazi, Fayez - BC; Kenny, Conor - BC; McGraw, Karen - BC; Schissler, James - BC; Schneider, Robert - BC; Seeger, Patricia - BC; Shaw, Todd - BC; Shieh, James - BC; Thompson, Jeffrey - BC; Burkhardt, William - BC; Mendoza, Richard [AW]; Anderson, Greg - BC; Teich, Ann - BC  
**Cc:** John Donaruma; Dave Chakos; Merila Thorne-Thompson; John Thorne-Thompson; Skye Best; Mitch Epps; Jennifer Paul; bryan paul; Alanna Gold  
**Subject:** Re: OBJECTION: Rezoning of 1907 Inverness C14-2018-0141  
**Attachments:** 1907 Inverness - Commercial For Sale Listing.pdf; Case C14-2018-0141 Photos.zip; Petition Protesting Rezoning - Case C14-2018-0141.pdf

Planning Commission Representatives and Ms. Rhoades,

I've attached electronic copies of our signed petition opposing the rezoning of 1907 Inverness Blvd. As mentioned in my previous email, these 55 signatures are from property owners on Inverness Blvd, St. Albans, Kings Highway and Fair Oaks.

My wife and I, who are the parents of two small children, spent the last two weekends, along with our immediate neighbors, knocking on doors and asking for the community's support opposing the rezoning of 1907 Inverness Blvd. We weren't able to speak with every property owner in our community but of the owners with whom we did speak, an overwhelming majority supported our position and signed the petition.

I am planning to drop off the hard copies to Ms. Rhoades on Monday.

Thank you,

Greg Dayton  
512.827.6200

On Sat, Feb 9, 2019 at 11:55 PM Greg Dayton <[gregory.dayton@gmail.com](mailto:gregory.dayton@gmail.com)> wrote:  
Wendy and Planning Commission Representatives:

We wanted to give you an update on the status of our questions and concerns after reviewing the case back-up notes posted on the Austin.gov website.

Following the postponement of the January 22nd hearing and our introduction with Johnathan Perlstein, the owners of properties adjacent and near 1907 Inverness Blvd met and agreed that we are still in **OBJECTION** of the property being rezoned. We have worked to gather additional support of our position in the form of a petition which we will deliver to Wendy Rhoades on Monday. This petition has the signatures of property owners from Inverness Blvd., St. Albans Blvd., Kings Highway, Brittnay Blvd., and Fair Oaks Dr. **The owners who signed the petition are requesting that the Planning Commission deny the zoning change at 1907 Inverness so that it remain SF-3.**

**Please include the following in the case back-up materials for the review of the planning and zoning representatives: The forthcoming petition, this email, and any other emails sent since January 22 and before the February 12 hearing in objection to this zoning change.**



5608 Manchaca Road - Business closed



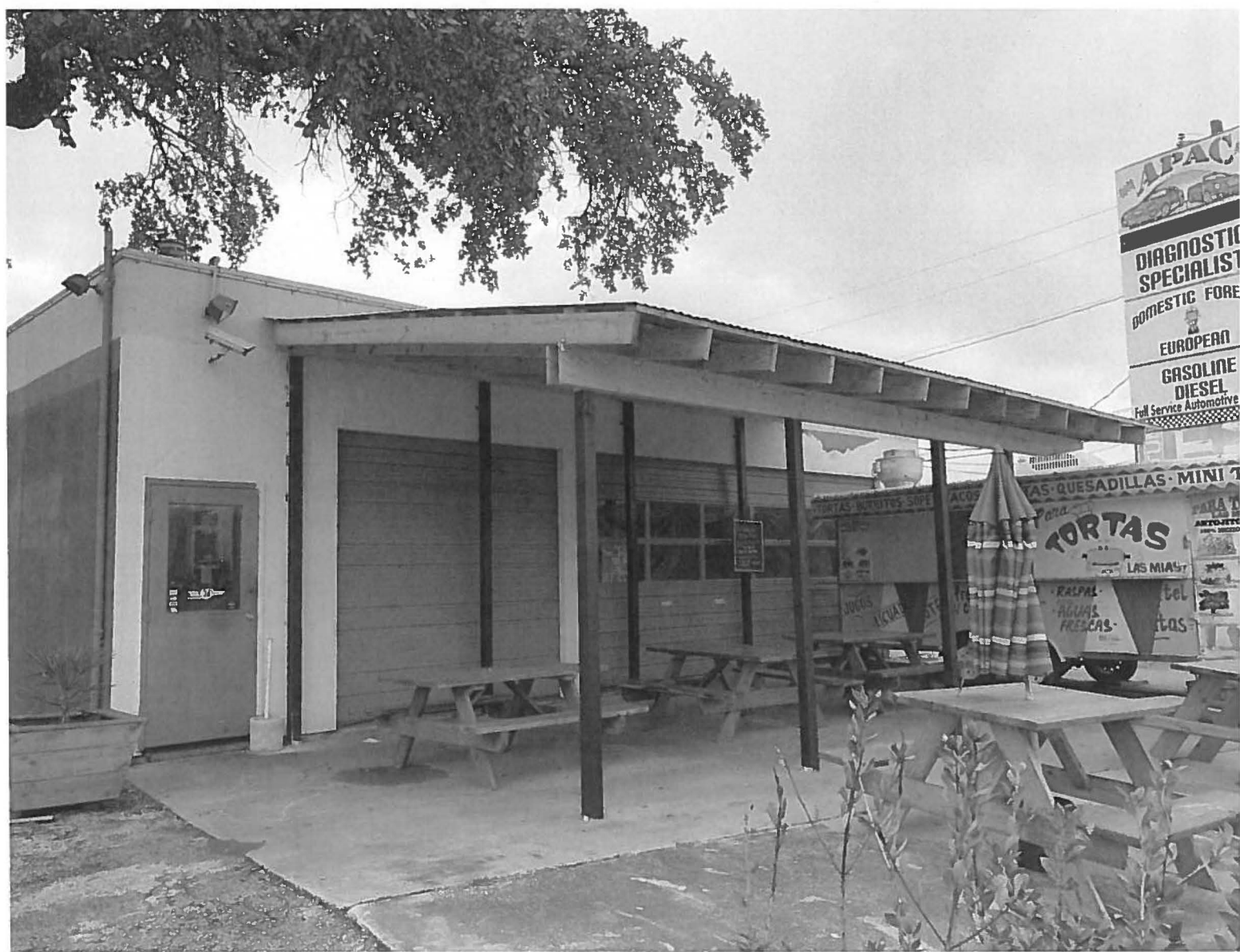


Inverness & Manchaca Parking



5316 Manchaca Road-For Lease (across 190)  
Inverness,





2700 West Stassney





2056 West Stassney - Abandoned



1606 West Stassney - For Lease



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1606

1606 West Stassney -  
 For Lease





1606 West Stassney - For Lease



1500 West Stasshey - vacant





1500 West Stassney -  
VACANT





1500 West Stassney Vacant